IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2205 OF 2005

Sayyed Shafi Sayyed Gafar @ Chappi and others.] .. Applicant

Versus

The State of Maharashtra.] .. Respondent

Mr.Naveen Chomal for the petitioner.

Mr. A. S. Shitole, A.P.P., for the respondent-State.

CORAM: SMT. RANJANA DESAI & ANOOP V. MOHTA, JJ.

DATED: 4TH OCTOBER, 2005

P.C. :

. We have heard Mr. Chomal, the learned Counsel appearing for the petitioner in this writ petition. The petitioners have challenged show cause notice issued by respondent NO.2 under section 111 of the Code of Criminal Procedure, asking them to execute the bond under section 107 of Cr.P.C. The learned Counsel urged that the petitioners are respectable citizens and there is no reason to ask them to execute the bond. He submitted that the respondents are acting in a high handed manner. They have adopted vindictive approach. We do not want to go into the merits of the case at this stage when only show cause notice is issued. The petition is premature. We expect the respondents to follow the procedure prescribed under the Code of

Criminal Procedure. Their action would be deprecated if they do not follow the correct procedure and this Court may have to take serious note of such lapse. With these observations, the petition is disposed of.

[SMT. RANJANA P. DESAI, J.]

[ANOOP V. MOHTA, J.]